

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**CHRISTOPHER MICHAEL HALE,**

**Plaintiff,**

**v.**

**No. 11-cv-0128 RB/SMV**

**THE GEO GROUP, INC.;**  
**NEW MEXICO CORRECTIONS DEPARTMENT;**

**Defendants.**

**ORDER DENYING SANCTIONS AGAINST DEFENDANT**

THIS MATTER is before the Court on Plaintiff's Motion for Special/Imediat [sic] Circumstances "Summary Judgement [sic]" [Doc. 78] ("Motion"), filed on March 8, 2012. Defendant responded in opposition on March 9, 2012. Defendant GEO's Response to Plaintiff's "Motion for Special/Imediat [sic] Circumstances "Summary Judgement [sic]" [Doc. 84] ("Response"). On March 15, 2012, Plaintiff filed an untitled document [Doc. 89] ("Reply"), in which he references his Motion. The Court, being fully advised in the premises, finds that the Motion is not well-taken and should be DENIED.

Plaintiff requests sanctions against Defendant for several reasons. First, Plaintiff alleges that Defendant submitted its *Martinez* report late. Motion [Doc. 78] at 2. Second, Plaintiff argues that Defendant asserted a qualified immunity defense in "bad-faith [sic]." *Id.* Third, Plaintiff alleges that Defendant lied in its *Martinez* report. *Id.* Plaintiff requests sanctions in the form of summary judgment in his favor, as well as for Defendant to pay the remainder of Plaintiff's filing fee and to pay the Court \$1,500. *Id.* at 6. Additionally, Plaintiff requests an additional 30 days to respond to the *Martinez* report, along with copies of everything that has

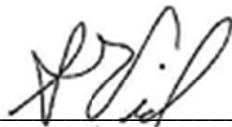
been filed in this case. *Id.* at 5. Finally, Plaintiff reiterates his demand for judgment in his favor for \$67,150,000. *Id.* at 6.

Defendant denies that it filed its *Martinez* report late and opposes sanctions. Response [Doc. 84] at 1. Defendant also complains that Plaintiff's motion practice has been "abusive" and notes that it has moved the Court to restrict further filings from Plaintiff without leave of Court. *Id.* Plaintiff's Reply cites to Fed. R. Civ. P. 5 and attaches a receipt of mail from the prison but is difficult to understand. Reply [Doc. 89]. It appears that Plaintiff is insisting the *Martinez* report was late because of some delay in Plaintiff's receipt of it. *Id.*

The Court finds that the *Martinez* report was timely filed on February 28, 2012. *See Martinez Report* [Doc. 74]. It is irrelevant when Plaintiff received his copy. Moreover, even assuming a delay in Plaintiff's receipt of the report, he has failed to show any prejudice resulting therefrom. In fact, Plaintiff responded to the *Martinez* report on March 15, 2012. *See* "Plaintiff's Ordered Response to [Doc. 62] Martinez Report & [Doc. 66] the given Extension" [Doc. 90]. The Court further finds that no sanctions are warranted for any of the reasons urged by Plaintiff.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Motion for Special/Imediat [sic] Circumstances "Summary Judgement [sic]" [Doc. 78] is **DENIED**. Plaintiff's request for copies is addressed in another Order filed concurrently herewith.

**IT IS SO ORDERED.**

  
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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**